

**UNITED STATES OF AMERICA,**

**v.**

**CARL JAY WHITSON,**

**Defendant.**

Pending before the Court is Defendant's Motion to Allow Defendant to File Sentencing Memorandum Under Seal [# 25]. In accordance with the Local Rules, the Court has considered the Motion to Seal, the public's interest in access to such materials, and alternatives to sealing. The Court determines that no less restrictive means other than sealing is sufficient because a public filing of such sentencing materials could either reveal protected information under HIPPA or the E-Government Act, or endanger the physical wellbeing of a person who has provided a supporting letter. The Court will, however, consider any request made in the future to unseal such materials.

Accordingly, the Court **GRANTS** the Motion to Allow Defendant to File Sentencing Memorandum Under Seal [# 25]. Defendant's Sentencing Memorandum shall be sealed and remain sealed until further Order of this Court.

Dennis E. Howell